

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Tizazu Arega,

Petitioner,

v.

Case No. 1:21cv244

Butler County Sheriff, *et al.*,

Judge Michael R. Barrett

Respondents.

**ORDER**

This matter is before the Court on the Report and Recommendation ("R&R") filed by the Magistrate Judge on June 3, 2021. (Doc. 7).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's R&R (Doc. 7) have been filed. Although proper notice was served upon Petitioner, that notice was returned as undeliverable due to Petitioner's failure to apprise the Court of his change of address. (Doc. 8.) By failing to keep the Court informed of his current address, Petitioner demonstrates a lack of prosecution of her action. *See, e.g., Theede v. U.S. Dep't. of Labor*, 172 F.3d 1262, 1265 (10th Cir. 1999) (failure to object to a magistrate judge's R&R because of party's failure to bring to the court's attention a change in address constitutes failure to object in a timely manner, and holding that, because the R&R was mailed to the last known address, the R&R was properly served and party waived right to appellate review); *see also Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991) (a pro se litigant has an affirmative duty to

diligently pursue the prosecution of his cause of action); *Barber v. Runyon*, No. 93–6318, 1994 WL 163765, at \*1 (6th Cir. May 2, 1994) (a pro se litigant has a duty to supply the court with notice of any and all changes in his address).

Accordingly, it is **ORDERED** that the R&R (Doc. 7) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, this matter is dismissed for failure by the Petitioner to comply with the Magistrate Judge's Order of April 20, 2021 (Doc. 4).

**IT IS SO ORDERED.**

/s Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court